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THE
COLONIAL LAWS
OF
NEW YORK *(Dongan) - 17th century*
FROM THE
YEAR 1664 TO THE REVOLUTION,
INCLUDING THE
CHARTERS TO THE DUKE OF YORK, THE COMMISSIONS AND IN-
STRUCTIONS TO COLONIAL GOVERNORS, THE DUKE'S LAWS,
THE LAWS OF THE DONGAN AND LEISLER ASSEM-
BLIES, THE CHARTERS OF ALBANY AND NEW
YORK AND THE ACTS OF THE COLO-
NIAL LEGISLATURES FROM 1691
TO 1775 INCLUSIVE.
VOLUME V.

TRANSMITTED TO THE LEGISLATURE BY THE COMMISSIONERS OF STATUTORY
REVISION, PURSUANT TO CHAPTER 125 OF THE LAWS OF 1891.

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the Authority of the same that the Act intituled "An Act for the better regulating the Public Roads in the City and County of New York, and to levy Money to defray the Expence thereof." passed in the fourth Year of his present Majesty's Reign shall be and hereby is continued, and every Clause, Article, Matter and Thing in the said Act contained enacted to be and remain in full Force and Virtue to all Intents, Constructions and Purposes whatsoever until the first Day of January which will be in the Year of our Lord one thousand seven hundred and seventy two, except so much of the second Clause of the said Act as is therein expressed and contained in the Words following to wit "And if any Person or Persons shall lay out any Road or Roads through his her or their Lands, and leave the same open for common use by the space of three Months, the said Commissioners are hereby impowered immediately thereafter to record all and every such Road and Roads in the Manner hereinafter directed; which being so recorded shall be deemed Publick Roads and Highways to all Intents Constructions and Purposes whatsoever."

[CHAPTER 1410.]

[Chapter 1410 of Van Schanck, where the act is printed in full. Expired January, 1772. Revived and continued by chapter 1522.]

An Act for the more effectual prevention of Fires in the City of New York.

[Passed, December 30, 1769.]

WHEREAS the many instances of the great Destruction made by Fire in many Populous Cities, makes it highly necessary to use all possible precaution against the like Calamities in this City. AND WHEREAS the storing of Pitch Tar, Turpentine, Rosin, Spirits of Turpentine or Shingles in any Houses, Store Houses, Cellars or other Places within this City, may be of very bad Consequences in Case of Fire breaking out at or near the Place where any such commodities are stored. AND WHEREAS the firing and discharging of Guns, Pistols, Rockets, Crackers, Squibs, and other Fireworks in the City of New York, may not only be likely to do personal Injuries to the Inhabitants and others, but the City may be in danger of being set on Fire by such Practices for Remedy whereof.

BE IT ENACTED by his Honor the Lieutenant Governor, the Council and General Assembly and it is hereby enacted by the

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'Authority of the same that from and after the first Day of January next no Pitch, Tar, Turpentine, Rosin or Spirits of Turpentine or Shingles shall or may be put in any Place in the City of New York to the Southward of Fresh Water, other than in such proper place or places to be appointed and approved of by the Mayor Aldermen and Commonalty of the City of New York in Common Council convened under the Penalty of ten Pounds for every Offence or Refusal to remove the same to be levied by Warrant under the Hand and Seal of one or more of his Majesty's Justices of the Peace for the City and County of New York by distress and Sale of the Goods and Chattels of the Offender upon due Conviction upon Oath or upon the View of one or more of such Justices of the Peace, rendering the Overplus if any be to the Owner, and for want of such Distress the Offender shall be imprisoned by Warrant from the said Justice or Justices, who are hereby empowered and required to issue such Warrant until payment as aforesaid, which said Forfeitures shall be paid to the Church Wardens of the City of New York for the Time being for the use of the Poor of the said City. PROVIDED ALWAYS that it shall and may be lawful to and for such of the Inhabitants of the said City who are Ship Chandlers to have near their Doors in the open Street, and not in any Building or Inclosure a small Quantity of Pitch Tar Rosin and Turpentine not exceeding in the whole at any one Time twenty Barrels in order the more readily and handily to supply the Merchant Ships, and others who may have Occasion for small Quantities of such Commodities any Thing herein before contained to the contrary thereof in any wise notwithstanding.

AND BE IT FURTHER ENACTED by the Authority aforesaid that if any Person or Persons of what Age Sex or Quality soever from and after the said first Day of January shall Fire and discharge any Gun, Pistol, Rocket, Cracker, Squib, or other Fire Work in any Street, Lane or Alley, Garden or other Inclosure or from any House or in any other Place where Persons frequently walk to the Southward of Fresh Water, that then every such person or persons so offending and being thereof convicted before one or more Justice or Justices of the Peace for the said City and County of New York either by the Confession of the Party or Parties so offending or the Oath of one or more Witness or Witnesses (which Oath the said Justice or Justices of Peace is and are hereby empowered and required to Administer) shall

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for every such Offence forfeit the Sum of twenty Shillings, the said Forfeitures to be levied by distress and sale of the Goods and Chattels of every such Offender by Warrant under the Hand and Seal of the said Justice or Justices of the Peace before whom such Conviction or Convictions shall be as aforesaid made, the which Forfeitures to be to the use of the Poor of the said City of New York; and if the said Offender or Offenders shall not pay the said Forfeiture or Forfeitures upon Conviction as aforesaid, and want of sufficient distress whereon the same can be made, that then every such Justice or Justices of the Peace is and are hereby impowered and required by Warrant under his or their Hands and Seals to commit every such person or persons so as aforesaid offending to the Common Goal of the City and County of New York, there to remain without Bail or Mainprize for the Space of ten Days unless such Forfeiture or Forfeitures be sooner paid: But in Case such Offender or Offenders in the Premises last abovementioned shall happen to be a Slave or Slaves and the Forfeiture or Forfeitures aforesaid on Conviction as aforesaid shall not be forthwith paid, that then it shall and may be lawful to and for such Justice or Justices before whom the Conviction shall be to cause such Slave or Slaves to be publicly Whiped on the naked Back such Number of Stripes as he or they shall think proper not exceeding thirty nine, which Punishment shall be in lieu and stead of the said Forfeiture; This Act to be of force from the first Day of January one thousand seven hundred and seventy, to the first Day of January which will be in the year of our Lord one thousand seven hundred and seventy two.

[CHAPTER 1411.]

[Chapter 1411 of Van Schaack, where the act is printed in full. See chapter 890.]

'An Act to encourage the destroying of
Wolves in the County of Albany.

[Passed, December 30, 1769.]

WHEREAS an Act intituled An Act to encourage the destroying of Wolves in the County of Albany passed in the twenty fourth Year of his late Majesty's Reign will expire the first Day of January next, and the said Act having been found useful, and would be more so provided a greater Reward was allowed for destroying of Wolves and Whelps than is therein mentioned.